



STATE LEGISLATIVE UPDATE

January 12, 2018

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2018 Indiana General Assembly Week 2

- ▲ The second week of the 2018 “short” legislative session has drawn to a close. With only eight weeks to go, the session is going to start moving very rapidly. Last week we saw the bill filing deadline pass in the Senate. A total of 438 Senate Bills and 13 Senate Joint Resolutions have been introduced. In the House, the bill filing deadline was this past Tuesday, and while much of the legislation has been made public, there are probably a couple hundred more bills yet to surface. All in all, when the dust finally settles, there could be approximately 900 pieces of legislation introduced this session. In reality, only a fraction of these bills will see the light of day as the process continues. As the legislative schedule stands currently, there are only 2 ½ weeks left for committee activity in the first half of the session, so committees will be very busy in both chambers. Committee action must be completed by January 30th in the House and by February 1st in the Senate. It is a short and swift time frame, indeed.
- ▲ This week, we saw Governor Holcomb give the State of the State address on Tuesday evening. In that speech, the Governor focused on issues such as education and developing a skilled and ready workforce, job growth, continued infrastructure improvements including a fourth port in southeast Indiana, aging and neglected water infrastructure throughout the state and charting a long term course of action, infant mortality rates, and the recent challenges facing the Department of Child Services. He avoided subjects like Sunday alcohol sales, medical marijuana and gun rights. On Wednesday afternoon, Supreme Court Chief Justice Loretta Rush provided the members of the General Assembly with the State of the Judiciary in Indiana.

- ▲ Also on Wednesday this week, both the House and Senate Public Policy Committees held hearings on legislation that would legalize the Sunday sale of alcohol in Indiana. This may be the highest profile issue legislators are dealing with this session. In the House, House Bill 1051 received about 45 minutes of testimony. The bill was held for a vote until next week. In the Senate, after no more than 30 minutes of testimony, the bill was voted out of committee unanimously, 9-0. Both bills propose to expand current law and allow liquor stores, grocery stores, convenience stores and drug stores, as well as restaurants that are properly permitted, to sell alcohol for carryout on Sundays from 12 noon until 8:00 p.m., prevailing local time.
- ▲ The State House will be closed on Monday, January 15th in recognition of Martin Luther King, Jr. Day. The General Assembly will get back to work on Tuesday.
- ▲ State Representative Milo Smith (R-Columbus) announced his retirement at the end of this current term, bringing the number of legislators who have already resigned or are not running for re-election this year to 16.
- ▲ The committee and session activities of the Indiana General Assembly are broadcast over the Internet. Go to www.iga.in.gov and tune into the action.

Energy and Utilities

- ▲ On the utility/energy front, this past week was quiet. Next week, however, both the House and Senate Utilities committees will meet. The Senate Utilities Committee will take up SB 125, which is legislation dealing with underground utility facilities. This legislation, authored by Senator Jim Merritt, is the result of several incidents of gas line damages involving telecommunications provider Metro Net and their contractors last summer.



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Energy and Utilities (continued)

The bill would require a communications service provider to furnish documentation that their employees and contractors are properly trained, registered to do business in Indiana, and have a signed statement agreeing to comply with Indiana's 811 (underground facilities) statute. As introduced, SB 125 also includes notification and best practice provisions. Also being heard will be SB 258, authored by Senator Mark Messmer. This bill deals with wireless support structures and is intended to tighten last year's law concerning the siting of small cell towers in municipal rights of way. As drafted, SB 258 will preempt the underground utility area designation ordinances that were allowed under last year's SEA 213, but also adds additional consumer oversight through the IURC. This legislation will likely see some amendments.

- Over in the House, the Energy, Utilities and Telecommunications Committee will also be meeting next week and will consider Committee Chairman David Ober's House Bill 1050, which also deals with the issues of small cell wireless support structures in ROWs. HB 1050 does not preclude the local ordinances that were passed, but simply narrows the parameters of last year's legislation. Specifically, this bill excludes a utility pole owned or operated by a public utility (IOU), a municipality, or an REMC from the definition of "wireless support structure." Also being heard next week in the House committee are HB 1065, which deals with high speed internet service, and HB 1069, which is a follow-up to last year's net metering policy changes. HB 1069 applies only to investor-owned electric utilities and is intended to assist school corporations and municipalities that installed net metering facilities after December 31, 2017. It extends the terms and conditions of their net metering tariffs for 5 additional years. Those entities would continue to be credited for excess electricity at the retail rate plus the 25% premium.

Don't forget to RSVP for the 2018 IMPA Legislative Dinner being held on Monday evening January 22nd, at the Indiana Historical Society. I already have a good list of legislators who are planning to attend, so it is mission critical to have a strong turnout of our municipal electric communities! Please mark your calendars and let me know who all from your community will be attending by January 15th!

Indiana Municipal Power Agency 2018 Legislative Dinner

WHERE: Indiana Historical Society
450 W. Ohio St., Indianapolis

WHEN: Monday, January 22, 2018
5:30 pm - cocktails and hors d'oeuvres
6:30 pm - dinner

RSVP by Karen Pomeroy
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